

September 9, 2009

**VIA Email (JacksonFrugalGal@gmail.com)**

**Re: Trademark Infringement - FRUGALISTA**

To Whom It May Concern:

This firm represents Ms. Natalie McNeal, founder of the online journal and blog originally published in the Miami Herald, THE FRUGALISTA FILES ("FRUGALISTA"), in connection with her intellectual property matters. Ms. McNeal is the owner of the following United States trademark application, Serial No. 3532912, for FRUGALISTA (See <http://tess2.uspto.gov/bin/showfield?f=doc&state=4008:kalmm2.2.3>) (the "Mark") in connection with an online journal and blog in the field of financial advice and tips.

This letter serves as formal notice that your use of the Mark in the blog "**Jackson Frugalista**" (<http://jacksonfrugalista.wordpress.com/>), is confusingly similar and exactly the same to our client's Mark and unfairly capitalizes on the goodwill and reputation embodied in our client's use of the Mark. The Mark is a strong brand associated with our client's professional reputation and livelihood in the field of online journalism and has garnered local, national and international recognition. Your continued unauthorized use of the Mark is likely to confuse and mislead the consuming public and suggests an affiliation with our client's business and dealings with the public. Further, our client has not authorized, consented to, or granted permission to you to use the Mark in any manner.

This type of trade practice could constitute trademark infringement, unfair competition, false designation of origin, and may constitute dilution, all of which are violations of federal law and state law. The Lanham Act provides numerous remedies for the misuse of a trademark, trademark infringement, and trademark dilution, including but not limited to, preliminary and permanent injunctive relief, money damages, an infringer's profits, an award of attorneys' fees and costs, and up to three times the amount of actual damages.

It is our clients' preference to resolve this matter amicably, if it is possible to do so. Further, please let us have your prompt written assurance that you and any affiliated companies or individuals will promptly discontinue and refrain from the use of the term "FRUGALISTA" in any form or derivation in any online blogs or journals. Please note that we will require

Jackson Frugalista  
September 9, 2009  
Page 2

documentation evidencing any changes or the cessation of use of any name or mark identical or similar to the Mark.

We look forward to receiving the information regarding your use of the Mark and your unambiguous favorable response, in writing, no later than **5:00 p.m. on Wednesday, September 23, 2009**. Absent receipt of such, our clients reserve their right to take appropriate legal action to protect their trademark rights.

This letter does not purport to be a complete statement of the law or facts, and is without prejudice to our clients' legal and equitable rights, which are expressly reserved. We look forward to your prompt response.

Sincerely,

/s/ Alexis Hart McDowell, Esq.

Cc: Natalie McNeal